

**CHAPTER 24:43:01**  
**DEFINITION OF TERMS**

Section

- 24:43:01:01 Definitions.
- 24:43:01:02 Approval defined.
- 24:43:01:03 Improvement plan defined.
- 24:43:01:04 External third-party accreditation agency defined.
- 24:43:01:05 Nonpublic school defined.
- 24:43:01:06 Specialized nonpublic educational program defined.
- 24:43:01:07 Nonaccredited and nonapproved educational setting defined.
- 24:43:01:08 Plan of corrective action defined.
- 24:43:01:09 Credit defined.
- 24:43:01:10 Distance learning course defined.
- 24:43:01:11 Distance learning provider defined.
- 24:43:01:12 Physical school defined.

**24:43:01:09. Credit defined.** A student earns “credit” for a distance learning course based on the following:

- (1) Meeting standards set by the state for course content;
- (2) Mastery of the subject as determined by the teacher;
- (3) Demonstrating school district-assessed competency.

Credit for successful completion of a distance learning course shall be awarded by the physical school at which the student is enrolled.

**Source:**

**General Authority:** SDCL 13-1-12.1, 13-33-22, 13-3-47.

**Law Implemented:** SDCL 13-1-12.1, 13-33-21, 13-3-47.

**24:43:01:10. Distance learning course defined.** A “distance learning course” is a course designed to be delivered to an elementary or secondary school in South Dakota by means of distance learning as defined in SDCL 13-33-20 and to meet elementary or high school graduation requirements.

A course offered by a regionally-accredited postsecondary institution for postsecondary credit and duly approved by a school district for credit toward high school graduation, regardless of the means of delivery used by the postsecondary institution, is not a distance learning course subject to article 24:43.

**Source:**

**General Authority:** SDCL 13-1-12.1, 13-33-22, 13-3-47.

**Law Implemented:** SDCL 13-1-12.1, 13-33-21, 13-3-47.

**24:43:01:11. Distance learning provider defined.** A “distance learning provider” is the accredited entity that is a provider of distance learning courses.

**Source:**

**General Authority:** SDCL 13-1-12.1, 13-33-22, 13-3-47.

**Law Implemented:** SDCL 13-1-12.1, 13-33-21, 13-3-47.

**24:43:01:12 Physical school defined.** A “physical school” is the school in the local attendance area to which a student is assigned based on the established residence of the guardians of the student.

**Source:**

**General Authority:** SDCL 13-1-12.1, 13-3-47.

**Law Implemented:** SDCL 13-1-12.1, 13-3-47.

## **ARTICLE 24:43**

### **ACCREDITATION AND SCHOOL IMPROVEMENT**

#### Chapter

24:43:01      Definition of terms.

24:43:02	State accreditation and approval system.
24:43:03	Approved external third-party accreditation agency option.
24:43:04	Approval of nonpublic schools.
24:43:05	Approval of specialized nonpublic education programs.
24:43:06	Nonaccredited or nonapproved educational settings.
24:43:07	Warning, denial, suspension, or removal of accreditation.
24:43:08	Waiver of certain administrative rules and Department of Education policies.
24:43:09	Administration
24:43:10	Instructional staff.
24:43:11	Curriculum.
<u>24:43:12</u>	<u>Distance learning.</u>

## **CHAPTER 24:43:12**

### **DISTANCE LEARNING**

#### Section

24:43:12:01	Distance learning provider certificate requirements and criteria.
24:43:12:02	Distance learning certificate application procedures.
24:43:12:03	Duration and renewal of a distance learning certificate.
24:43:12:04	Distance learning certificate issuance fee.
24:43:12:05	Distance learning provider appeal process.
24:43:12:06	Student registration.
24:43:12:07	Student and school responsibility in a distance learning environment
24:43:12:08.	Verification of coursework proficiency.

**24:43:12:01 Distance learning provider certificate requirements and criteria.** The secretary of the department may issue a distance learning certificate to a distance learning provider if the provider meets the following requirements and criteria:

- (1) Course content is aligned to state standards;
- (2) Instructional staff qualifications require that:
  - (a) Distance learning instructional staff have the same qualifications as teachers in a traditional physical school;
  - (b) Distance learning instructional staff annually demonstrate proficiency in delivering instruction using the distance learning provider's delivery system; and
- (3) Current professional development for instructional staff delivering coursework in the distance learning environment is offered by the distance learning provider. Instructional staff shall demonstrate proficiency in current methods of delivering distance instruction.

**Source:**

**General Authority:** SDCL 13-1-12.1, 13-33-22, 13-3-47.

**Law Implemented:** SDCL 13-1-12.1, 13-33-21, 13-3-47.

**24:43:12:02 Distance learning certificate application procedures.** The department shall provide application procedures for securing a distance learning certificate.

**Source:**

**General Authority:** SDCL 13-1-12.1, 13-33-22, 13-3-47.

**Law Implemented:** SDCL 13-1-12.1, 13-33-21, 13-3-47.

**24:43:12:03 Duration and renewal of a distance learning certificate.** A distance learning certificate is in effect for three calendar years following the date of issue from the

secretary of the department. A distance learning provider shall submit a request for renewal to the department upon the expiration of the provider's current distance learning certificate.

A distance learning provider shall request approval from the department for staffing changes and additional courses.

**Source:**

**General Authority:** SDCL 13-1-12.1, 13-33-22, 13-3-47.

**Law Implemented:** SDCL 13-1-12.1, 13-33-21, 13-3-47.

**24:43:12:04 Distance learning certificate issuance fee.** The fee for requesting a distance learning certificate is \$100 for each active certificate. A renewal processing fee of \$100 is assessed to the distance learning provider requesting a distance learning certificate.

**Source:**

**General Authority:** SDCL 13-1-12.1, 13-33-22, 13-3-47.

**Law Implemented:** SDCL 13-1-12.1, 13-33-21, 13-3-47.

**24:43:12:05 Distance learning provider appeal process.** A distance learning provider has fourteen calendar days from the date of a certificate decision by the secretary of the department to appeal. The department shall respond to the distance learning provider within thirty calendar days regarding the action that will be taken on the appeal.

**Source:**

**General Authority:** SDCL 13-1-12.1, 13-33-22, 13-3-47.

**Law Implemented:** SDCL 13-1-12.1, 13-33-21, 13-3-47.

**24:43:12:06. Student registration.** Districts shall register students with a state-approved, distance learning provider.

**Source:**

**General Authority:** SDCL 13-1-12.1, 13-33-22, 13-3-47.

**Law Implemented:** SDCL 13-1-12.1, 13-33-21, 13-3-47.

**24:43:12:07. Student and school responsibility in a distance learning environment.**

The Department of Education shall set the requirements for online etiquette and ethics to be followed by the students and shall require the local school to monitor the student physical classes.

**Source:**

**General Authority:** SDCL 13-1-12.1, 13-33-22, 13-3-47.

**Law Implemented:** SDCL 13-1-12.1, 13-33-21, 13-3-47.

**24:43:12:08. Verification of coursework proficiency.** The Department of Education shall require proctored exams, methods to verify the completion of student coursework, and that students follow the required etiquette and ethical standards of the distance learning center.

**Source:**

**General Authority:** SDCL 13-1-12.1, 13-33-22, 13-3-47.

**Law Implemented:** SDCL 13-1-12.1, 13-33-21, 13-3-47.